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PATENT

Attorney Docket No. 110.01270101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): James B. McCarthy et al.)
Serial No.: 09/937,076)
Confirmation No.: 4527)
Filed: March 27, 2002)
For: METHODS OF USE OF β 1-INTEGRIN INHIBITORS)

Group Art Unit: 1644
Examiner: Maher M. Haddad

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement mailed June 15, 2004, Applicants elect, with traverse, Group VII (claims 38-40), drawn to a composition comprising a β 1-integrin inhibitor and a pharmaceutically acceptable carrier. Applicants further elect, with traverse, the species of SEQ ID NO:3. Applicants respectfully request reconsideration of the restrictions in this case and submit that the inventions as claimed can be readily evaluated in one search without placing undue burden on the Examiner.

Method claims 1, 7, 13, 21, 25, 28, 32, and 35 have been amended to reflect the amendments made to product claim 38. Pursuant to the "Guidance on Treatment of Product and Process Claims, in light of *In re Ochia*, *In re Brouwer* and 35 USC(b)," 1184 O.G. 86 (March 26, 1996), Applicants respectfully request the rejoinder and examination of method claims 1, 4-10, 13, 17-21, 25, 28, 32, and 35 along with the product claim 38.

Applicants' Representatives reserve the right to pursue examination of the non-elected claims in continuation or divisional applications.

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The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 14 day of July, 2004, at 10:45 A.M. (Central Time).

Sandy Truehart
Name: Sandy Truehart

Date

July 14, 2004

Respectfully submitted for
MCCARTHY et al.

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